

**Notice of Allowability**

Application No.

10/092,690

Examiner

Shaima Q. Aminzay

Applicant(s)

BARTL ET AL.

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Jun 6, 2005.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on March 7, 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## ***DETAILED ACTION***

### ***Allowable Subject Matter***

1. Claims 1-15 are allowed.

### ***Reasons for Allowance***

2. The following is an examiner's statement of reason for allowance:

The applicant filed amendment on June 6, 2005 in response to office action mailed April 7, 2005, and the amendments to the independent claims overcome the prior art rejection which puts the application in conditions for allowance.

None of the prior art of the record either singularly or in combination teaches or fairly suggests the following underlined limitations.

"... an open loop power controller adapted to maintain a first phasing table and a channel-temperature table; a closed loop power controller adapted to maintain a second phasing table and receive a power detector output; wherein said open loop power controller is adapted to provide a power set (APC) value in a first mode and said closed loop power controller is adapted to provide said power set value in a second mode, and in said second mode, said closed loop power controller receives said power detector output during a transmit burst and

after a transmit burst, said first mode comprising a low power mode said second mode comprising a high power mode" as disclosed in independent claim 1.

"... an open loop power controller adapted to maintain a first phasing table and a channel-temperature table; a closed loop power controller adapted to maintain a second phasing table and receive a power detector output; wherein said open loop power controller is adapted a power set (APC) value in a first mode and said closed loop power controller is adapted to provide said power set value in a second mode, and in said second mode, said closed loop power controller receives said power detector output during a transmit burst and after a transmit burst; said first phasing table comprising pre-initialized power set values" as disclosed in independent claims 2 and 12.

"... initializing first and second phasing tables, the first phasing table comprising pre-initialized power level and power set values, said second phasing table comprising pre-initialized power detector and power level values; initializing a channel-temperature table, said channel temperature table comprising a two-dimensional table of power set values with temperature and channel; generating a power set value using said first phasing table and said channel-temperature table in an open loop mode; and generating a power set value by reading a power detector and accessing said second phasing table in a closed loop mode, wherein in said second mode said power detector is read while a transmitter is on and while a transmitter is off" as disclosed in independent claim 5.

"... an open loop power controller adapted to maintain a first phasing table

and a channel-temperature table; providing a closed loop power controller adapted to maintain a second phasing table and receive a power detector output; wherein said open loop power controller is adapted to provide a power set (APC) value in a first low power mode and said closed loop power controller is adapted to provide said power set value in a second high power mode, said closed loop power controller receives said power detector output during a transmit burst, and receives a power detector output after a transmit burst and uses the difference between the outputs to derive said ...” as disclosed in independent claim 11.

“A telecommunications device, comprising: an open loop power controller adapted to provide a automatic power control (APC) value in a low power mode and based on a channel temperature table and a closed loop power controller adapted to provide an APC value in a high power mode; wherein in said high power mode, said closed loop power controller receives a power detector output during a transmit burst and receives a power detector output after a transmit burst and uses the difference between the outputs to derive said APC value” as disclosed in independent claim 15.

Cited reference Mochizuki (Mochizuki U. S. Patent 6,580,901) disclose telecommunication burst-type transmission output power control including an “open loop formed by variable power driver for amplifying a modulated wave signal, a saturation type high power amplifier and a directional coupler”, the open loop is constructed by a variable attenuator making connection with the directional coupler and further consist of a detector and a relative error amplifier

makes connection with the saturation type high power amplifier, the "voltage converter supplies a power supply voltage to the saturation type high power amplifier so that a saturation output of the saturation type high power amplifier is raised for a period at least before and after a steady-state burst waveform, including rising and falling time periods". In related art Lomp (Lomp et al. U. S. Publication 2002,0118,653) discloses a telecommunication system "receiver receives signals and noise over a frequency spectrum of a desired received signal", and the "desired received signal spreads using code division multiple access the demodulated received signals and noise are de-spread using a code uncorrelated with a code associated with the desired received signal, and the power level of the despread demodulated signal is measured to estimate the noise level of the frequency spectrum.

However, the cited reference Mochizuki in view of Lomp do not expressly teach "... an open loop power controller adapted to maintain a first phasing table and a channel-temperature table; a closed loop power controller adapted to maintain a second phasing table and receive a power detector output; wherein said open loop power controller is adapted to provide a power set (APC) value in a first mode and said closed loop power controller is adapted to provide said power set value in a second mode...", "... initializing first and second phasing tables, the first phasing table comprising pre-initialized power level and power set values, said second phasing table comprising pre-initialized power detector and power level values initializing a channel-temperature table, said channel

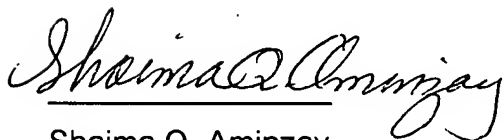
temperature table comprising a two-dimensional table of power set values with temperature and channel; generating a power set value using said first phasing table ...”, “... an open loop power controller adapted to maintain a first phasing table and a channel-temperature table; providing a closed loop power controller adapted to maintain a second phasing table and receive a power detector output; wherein said open loop power controller is adapted to provide a power set (APC) value in a first low power mode and said closed loop power controller is adapted to provide said power set value in a second high power mode...”, and “... an open loop power controller adapted to provide a automatic power control (APC) value in a low power mode and based on a channel temperature table and a closed loop power controller adapted to provide an APC value in a high power mode...”.

For these reasons, independent claims 1, 2, 5, 12, 11 and 15 are allowed. Claims 3-4, 6-10, 13-14 are depend on the independent claims 2, 5, and 12. Claims 3-4, 6-10, and 13-14 are allowed under the same reasons set forth in claims 2, 5, and 12.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745, the primary examiner, Nick Corsaro can be reached on 703-306-5616. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay

(Examiner)

June 13, 2005



NICK CORSARO  
PRIMARY EXAMINER

Nick Corsaro

(Primary Examiner)

Art Unit 2684